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UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
) Title 21, U.S.C., Sections 952 and 960
) Importation of a Controlled Substance
 Kelly Stephanie SILVA)
 Defendant,)
)


Mag. Case Number: _____

COMPLAINT FOR VIOLATION OF

73 MJ 3672

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And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


TYRONE DUREN
SPECIAL AGENT
HOMELAND SECURITY
INVESTIGATIONS

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 30th DAY
OF SEPTEMBER 2013.

Mitchell He
MAGISTRATE JUDGE

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STATEMENT OF FACTS

On September 29, 2013, at approximately 1650 hours, Kelly Stephanie SILVA the driver of a silver Nissan Xterra California license 6MHK728 entered the United States from the Republic of Mexico at the Otay Mesa Port of Entry, San Diego, California.

An Officer approached the Nissan and made contact with SILVA. SILVA provided two negative declarations. SILVA and her vehicle were referred to the secondary inspection area.

As the Nissan passed through the Z-portal X-ray, Officers observed anomalies in the passenger's and driver's side rear quarter panels. After a positive x-ray and a positive canine alert, Officers further inspected the Nissan. Officers discovered 11 grease covered clear baggies concealed in the driver's side quarter. Officers tested the substance which revealed positive reaction to the presence of the properties of methamphetamine. Officers discovered an additional 2 grease covered clear baggies in the passenger's quarter panel. Officers determined the 13 baggies of white crystalline substance weighed approximately 7 kilograms.

SILVA stated she was entering the US to go to shopping. Post Miranda, SILVA stated she was attempting to smuggle and on three prior occasions smuggled an unknown quantity and unknown narcotic concealed within the Nissan from Mexico and into the United States. SILVA was en-route to Hemet, California to make delivery. After a successful delivery, SILVA was to be paid \$3,000.00.

SILVA was arrested and charged with violations of Title 21 USC 952, 960, Importation of a Controlled Substance, and was booked into the Metropolitan Correction Center, San Diego, California.

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